

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Marque Gardeley,

Case No. 2:22-cv-00223-APG-DJA

Petitioner,

## ORDER

V.

State of Nevada, et al.,

## Respondents.

This is a 28 U.S.C. § 2254 counseled habeas corpus petition. On April 6, 2022, I  
ted Ms. Jessie Folkestad to represent Petitioner Marque Gardeley. ECF No. 13. On May  
23, Ms. Folkestad moved to withdraw as counsel, explaining that she was moving to  
r country. ECF No. 27. On May 19, 2023, I appointed Ms. Jean Schwartzer to represent  
ey. ECF No. 28. Since then, Ms. Schwartzer has filed a notice of appearance and two  
s for an extension to file an amended petition. ECF Nos. 29, 30, 32. Gardeley has now  
notice, explaining that Ms. Schwartzer has not communicated with him at all since having  
ppointed. ECF No. 34. Based on (1) the representations in Gardeley's notice and (2) Ms.  
rtzer's obligations to Gardeley pursuant to Rule 1.4 of the Nevada Rules of Professional  
ct, I instruct Ms. Schwartzer to contact Gardeley as soon as possible and thereafter inform  
urt about any issues with her ongoing representation of Gardeley. If the issues discussed in  
ice do not get resolved, Gardeley is encouraged to file a motion for the appointment of  
ounsel, and the court will determine whether an ex parte hearing is necessary.

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1 I THEREFORE ORDER that Ms. Jean Schwartzer (1) contact Gardeley as soon as  
2 possible and (2) inform the court about any issues with her ongoing representation of Gardeley  
3 before November 30, 2023.

4 Dated: November 1, 2023



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5 ANDREW P. GORDON  
6 UNITED STATES DISTRICT JUDGE

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